

110TH CONGRESS
1ST SESSION

H. RES. 685

Calling on the Governor of the State of Illinois to defend the right of employers to employee verification.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2007

Mr. KIRK (for himself, Mrs. BIGGERT, Mr. LAHOOD, Mr. SHIMKUS, and Mr. ROSKAM) submitted the following resolution; which was referred to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Calling on the Governor of the State of Illinois to defend the right of employers to employee verification.

Whereas every employer in the United States should have the right to verify the legal status of potential employees;

Whereas in 1996, Republicans and Democrats in the Congress came together in a strong bipartisan vote of 305 to 123 to establish pilot programs to give employers the right to verify the legal status of potential employees;

Whereas Federal law continues to make the Basic Pilot Program (“E-Verify”) available to all employers;

Whereas the Basic Pilot Program is a free, Internet-based system providing employers real-time links to the Social

Security Administration database and immigration records to quickly verify the legal status of potential employees;

Whereas the Basic Pilot Program fulfills the right of every American employer to verify the legal status of potential employees;

Whereas Illinois law (Public Act 095–0138) now prohibits Illinois employers from enrolling in the Employment Eligibility Verification System, including the Basic Pilot Program, to verify legal status unless no mistakes are made;

Whereas the Illinois Act denies employers the right to employee verification in violation of Federal law;

Whereas on December 11, 2001, United States Representative Rod R. Blagojevich joined with every member of Congress to unanimously pass the Basic Pilot Extension Act of 2001, extending the right to verify the legal status of potential employees to every American employer;

Whereas on August 13, 2007, contrary to his previous support in Congress, Governor Rod R. Blagojevich approved Public Act 095–0138; and

Whereas on September 24, 2007, the United States of America filed suit against the State of Illinois in the United States District Court Central District of Illinois: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the basic right of every employer
3 in the United States to verify the legal status of a
4 potential employee;

1 (2) supports the bipartisan Basic Pilot Program
2 as an effective tool giving employers the ability to
3 verify the legal status of potential employees;

4 (3) calls on the Illinois State legislature to re-
5 peal Illinois Public Act 095–0138, which violates
6 Federal law by denying employers the right to verify
7 the legal status of potential employees; and

8 (4) calls on the Governor of the State of Illinois
9 to file an amicus brief in the case of United States
10 *v. Illinois* supporting the plaintiff’s conclusion that
11 Illinois Public Act 095–0138 violates the Supremacy
12 Clause of the United States Constitution.

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